

REMARKS

Claims 41, 45-47, 50, 51, 55-57, 61, 65-67, 70, 71, 75, 81-92, 94, 96, 99, 101, 105-107, 110, 111, 115-117, 121, 125-127, 130, 131, 135, 141 and 142 have been amended to clarify the invention.

Antecedent basis for the phrase “transmitted or transferred” in claims 42 and 43 has been provided in claim 41 by amending the phrase “transmitting or initiating transfer of funds” to read --effecting or initiating transmission or transfer of funds--, and for consistency, similar amendments to the claims have been made throughout by employing the phrase “effecting or initiating transmission or transfer” or the like with regard to sending funds and data. No new matter has been added, and none of the amendments herein makes claim changes that would require further search by the Examiner.

Turning first to the rejection of claims 41-50, 61-70, 81, 82, 85-86, 89-90, 101-110 and 121-130 as non-statutory for reciting a human being in the claims, Applicant has amended a number of these claims in a manner believed to traverse this rejection. For example, in claim 41, “a biller generating at least one invoice” has been rewritten to read --an invoice-generating device corresponding to a biller, said invoice-generating device generating at least one invoice--. Similarly, in claim 41, “transfer of funds to said biller in a predetermined amount” has been rewritten to read --transfer of funds to an account corresponding to said biller in a predetermined amount--. A number of other revisions of this nature have been made in the foregoing rejected claims, which should be evident from a review thereof, and accordingly, each such revision will not be discussed with particularity herein. Applicant respectfully

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submits that the rejection of claims 41-50, 61-70, 81, 82, 85-86, 89-90, 101-110 and 121-130 as non-statutory has therefore been traversed and should now be withdrawn.

Considering next the rejection of claims 87, 88, 91 and 92 as non-statutory for reciting overlapping statutory classes of invention, Applicant has amended these claims to clarify that only methods are being claimed therein, in the same manner as in the claims from which they depend, and it is believed that these revisions are sufficient to traverse the rejection thereof, which Applicant respectfully submits should now be withdrawn.

With reference to the rejection of claims 81-92, 94 and 96 as non-statutory for not being limited within the technological arts, Applicant has amended these claims in a manner believed to traverse this rejection. For example, in the preamble of claim 81, "A payment network" has been amended to read --A computer-implemented payment network--. Similarly, in claim 81, "a payment system" has been amended to read --a computer-implemented payment system--, and "transfer ... data to said payee regarding said payment" has been amended to read --transfer ... data to a computer-implemented payee accounts receivable system--. A number of other revisions of this nature have been made in the foregoing rejected claims, which should be evident from a review thereof, and accordingly, each such revision will not be discussed with particularity herein. Applicant respectfully submits that the rejection of claims 81-92, 94 and 96 as non-statutory has therefore been traversed and should now be withdrawn.

Now considering the rejection of claims 51-80, 87, 88, 91, 92, 94-96, 99, 100, 111-120 and 131-142 as indefinite, Applicant has amended a number of these claims in a manner believed to traverse this rejection. For example, claim 51 has been amended to relate the result of scanning the bar code to the act of transmission of funds by amending the step of:

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permitting a third party to scan said bar code and, based on the identifying data of said bar code and a payment made by said customer in person to said third party, to transmit or initiate transmission of funds to said biller in a predetermined amount

so that it now reads:

--receiving, via a scanning device operated by a third party to who scanned said bar code using said device, the identifying data of said bar code and payment data corresponding to a payment made by said customer in person to said third party; and

effecting or initiating transmission or transfer of funds to an account corresponding to said biller in a predetermined amount based on the identifying data of said bar code and said payment data-- .

Likewise, in claim 99, appropriate language has been added to clarify that each of the scanning apparatus is identified as having "stored thereon third-party identification data comprising the identity of the third party to which said scanning apparatus corresponds and/or the location of said scanning apparatus," which stored third-party identification data is received "by electronic transmission from one of said scanning apparatus" in a subsequent step. Claim 99 has also been amended to clarify that "payment information entered by said third party corresponding to a payment made by said customer to said third party" is received "by electronic transmission from one of said scanning apparatus." Similarly, claims 141 and 142 have been amended to set forth specifically the step of "effecting said processing of said payment record, thereby producing a processed payment record that includes said inserted data elements," as suggested by the Examiner. A number of other revisions of this nature have been made in the foregoing rejected claims, which should be evident from a review thereof, and accordingly, each such revision will not be discussed with particularity herein. Applicant respectfully submits that the rejection of claims 51-80, 87, 88, 91, 92, 94-96, 99, 100, 111-120 and 131-142 as indefinite has therefore been traversed and should now be withdrawn.

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All of the claims of the Application are now believed to be in order for allowance.

Early and favorable action are respectfully requested.

In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account No. 08-1391.

Respectfully submitted,



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